

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:21-mc-01140 SPM
)	
FORTY THOUSAND DOLLARS IN)	
U.S. CURRENCY (\$40,000.00),)	
)	
Defendant.)	

CONSENT MOTION TO EXTEND TIME TO
FILE COMPLAINT FOR FORFEITURE

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Stephen Casey, Assistant United States Attorney for said District, and with the consent of Claimants Roman Ruiz-Russell, Danielle Hugues and Melodrina Ognan ("Claimants") respectfully moves this Court to extend the time in which the United States is required to file a verified complaint for forfeiture and in support of its Motion states as follows:

1. On May 6, 2021, \$40,000.00 was seized from Roman Ruiz-Russell and Danielle Hugues.
2. The Drug Enforcement Administration ("DEA") has sent the required written notice of intent to forfeit as set forth in Title 18, United States Code, Section 983(a)(1)(A).
3. The time has expired for any person to file an administrative claim to the property under Title 18, United States Code, Section 983(a)(2)(A)-(E).
4. On September 24, 2021, the Claimants, by and through counsel, John T. Davis, Kessler Williams LLC, filed an administrative claim to the defendant property. Claimants are the only parties to file such administrative claim. The claim was filed as follows:

- a. Roman Ruiz-Russell filed a claim for \$24,600.00 of the defendant property;
- b. Danielle Hugues filed a claim for \$5,900.00 of the defendant property; and
- c. Melodrina Ognan filed a claim for \$9,500.00 of the defendant property.

5. Title 18, United States Code, Section 983(a)(3)(A) provides as follows:

Not later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a court in the district in which the complaint will be filed *may extend the period for filing a complaint for good cause shown* or upon agreement of the parties.

6. Title 18, United States Code, Section 983(a)(3)(B) also provides that the United States may maintain possession of the property by filing criminal charges within the relevant time frame.

7. Accordingly, absent an order extending its time, the United States must either file a civil complaint for forfeiture of the above-captioned property or file criminal charges on or about December 23, 2021.

8. The United States and the Claimants are engaged in good faith settlement negotiations regarding the defendant property. The Government requests an extension of 30 days within which to file its complaint in the event the settlement agreement is not executed.

9. The requested extension is in the interest of justice insofar as it avoids the need for duplicative actions and thereby conserves judicial and other governmental resources.

10. Claimants consent to this Motion and the proposed Order that is included herewith.

WHEREFORE, for the foregoing good cause, the Government respectfully requests that the Court extend the period in which the United States is required to file a Complaint against the

property and/or to return criminal charges until January 22, 2022.

Dated: December 23, 2021

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

/s/ Stephen Casey
STEPHEN CASEY, #58879(MO)
Assistant United States Attorney
111 South Tenth Street, 20th Floor
St. Louis, Missouri 63102
314-539-2200

CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2021, a copy of the foregoing was sent via first-class mail, postage prepaid and addressed to the following:

John T. Davis.
Attorney for Claimants
Kessler Williams, LLC
1401 S. Brentwood Blvd., Suite 950
St. Louis, MO 63144

/s/ Stephen Casey
STEPHEN CASEY, #58879(MO)
Assistant United States Attorney